

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:	:	
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EX PARTE APPLICATION OF	:	
TIBERIUS GROUP AG,	:	19-mc-467 (VSB)
Applicant.,	:	
	:	<b><u>ORDER</u></b>
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VERNON S. BRODERICK, United States District Judge:

Plaintiff initiated this action on October 21, 2019. (Doc. 6.) On July 8, 2021, I ordered the parties to file a joint letter regarding the status of this action. (Doc. 39.) On July 14, 2021, the Applicant Tiberius Group AG (“Applicant”) filed a letter requesting an additional two days for the parties to submit a joint letter. (Doc. 40.) I granted the extension request (Doc. 42), and on July 16, 2021, the Applicant and Malcomines Ltd., Malcomines GmbH, S&M Pan African Mines & Logistics Ltd., Malcomines Minor Metals Ltd., Michel Babic, and Murtala Laushi (together, the “Objectors”) filed a joint letter. However, in this letter, Applicant requested that the action remain open, whereas the Objectors stated that there was no need for the action to remain open. (Doc. 41.) I ordered the parties to submit another joint letter regarding the status of this action (Doc. 43), and on August 23, 2022, the Parties filed a joint letter indicating that the current Application could be closed. (Doc. 44.) Applicant requests that the Court close the Application without prejudice “to any renewed or separate applications by Tiberius pursuant to 28 U.S.C. § 1782.” (*Id.*) Accordingly, it is hereby

ORDERED that the Application in the above referenced action be closed without prejudice pursuant to Rule 41(b). Applicant may make a show of good cause for reopening the Application subject to the Court’s discretion.

SO ORDERED.

Dated: August 25, 2022  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a horizontal line underneath the name.

Vernon S. Broderick  
United States District Judge